

## Staff Summary Report

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Council Meeting Date: 12-04-03

Agenda Item Number: 62

**SUBJECT:** Authorization to allow the City Attorney to file an appeal in the Desert Subway vs. City of Tempe lawsuit.

**DOCUMENT NAME:** 20031204casv02    **CITY ATTORNEY ADMINISTRATION (0501-02)**

**SUPPORTING DOCS:** No

**COMMENTS:** Authorization is requested to allow the City Attorney to file, if necessary, an appeal in the Desert Subway v. City of Tempe lawsuit.

**PREPARED BY:** Marlene A. Pontrelli, City Attorney (Ext. 8120)

**REVIEWED BY:** None

**LEGAL REVIEW BY:** Not Applicable

**FISCAL NOTE:** None

**RECOMMENDATION:** Staff believes that there are grounds for an appeal.